

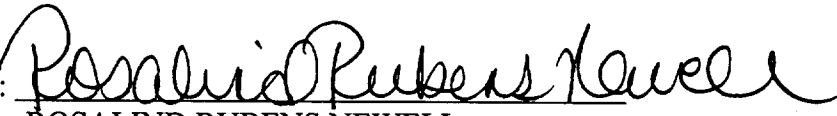
Entered - 4-4-01 - sb  
CL - 01L0214 ALEXIS HOLMES

CLAIM OF: CAROLYN W. PEARCE  
515 Mountain Way NE  
Atlanta, Georgia 30342

01-R -0815

For damages alleged to have been sustained as a result of vehicular damage after driving over concrete median dividers on February 14, 2001 at Wieuca Road and Lake Moore.

THIS ADVERSE REPORT IS APPROVED

BY:   
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

## DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0214

Date: 5/15/03

Claimant /Victim CAROLYN W. PEARCE

BY: (Atty) \_\_\_\_\_

Address: 515 Mountain Way, NE Atlanta, Georgia 30342

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 157.47 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 3/9/01 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 2/14/01 Place: Wieuca Road and Lake Moore Drive

Department Public Works Division: Traffic and Transportation

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

**NATURE OF CLAIM:** The claimant sustained damages to her vehicle when she drove over concrete median dividers that were placed in the road. However, this is a duplicate claim, a previous claim was filed by the claimant on March 9, 2001 under claim number 01L0174, alleging the same damages. Claim number 01L0174 was amicably resolved on May 3, 2001.

### INVESTIGATION:

Statements: City employee X Claimant \_\_\_\_\_ Other X Written X Oral X

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report \_\_\_\_\_ Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

### BASIS OF RECOMMENDATION:

Function: Governmental \_\_\_\_\_ Ministerial X

Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other X Damages reasonable \_\_\_\_\_

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

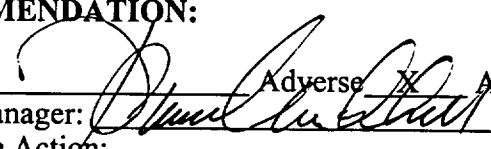
Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - ALEXIS HOLMES

### RECOMMENDATION:

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_

Claims Manager:  Concur/date 05-16-01

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

0110241

Holmes  
03/27/01COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERKCity Hall  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 2-28-01ENTERED - 4-4-01 - SB  
0110214 - ALEXIS HOLMES

Dear Municipal Clerk:

MAR 26 2001

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 157.47 property and/or \$ -0- bodily injury for which I contend the City is liable.

1. Date of incident: 2-14-01 2. Time of Incident: 7:30 PM 3. Police called: Yes ☒ No
4. Location of incident (including street address): Intersection of Winuka Rd & Lakemoore
5. Name of your insurance company: Central Ins. Co. Policy No. 5172473
6. State what and how incident occurred: Left front wheel struck concrete mounds in the middle of the street destroying the tire & the wheel. See attached bill from Charles Allen BP Station, and see attached letter to Lee Morris: Road & Safety Hazard.
7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!
8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).  
Your vehicle: HONDA ACCORD 1992 434XCE Tom C. Pearce  
(Make) (Year) (Tag Number) (Driver's Name) Spouse  
City vehicle: N/A  
(Make) (City Driver's Name) (Department/Bureau)  
9. Witness: N/A  
(Name) (Address) (Telephone Number)
10. The acknowledgement of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).
11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Carolyn W. Pearce  
Signature of ClaimantCAROLYN W. PEARCE  
(Print Claimant's Name)515 Mountain Way NE  
(Address)Atlanta, Ga. 30342  
(City, State and Zip Code)404-231-1935  
(Work Number)404-255-1702  
(Home Number)Copy to Lee Morris  
Council Member District 7  
55 Trinity Ave, SW  
Atlanta, Ga. 30335

February 28, 2001

Mr. Lee Morris  
Council Member District 7  
55 Trinity Avenue, SW  
Atlanta, Ga. 30335

Re: Road & Safety Hazard at Wieuca Rd. & Lakemoore

Dear Sir;

The numerous concrete mounds, approximately 3" high and 8" in diameter recently placed in the middle of the street are a real road and safety hazard. Greg, the service manager at the Charles Allen BP Station on Roswell Rd told us there were six other cars that had come in to his station with damaged tires the week prior to our incident at this same location.

In terms of safety: if two cars were approaching each other on Wieuca, and one of them struck one of these mounds, it could easily throw that car into the path of the on-coming car.

In our accident we were going no more than 25 miles an hour when the left front tire hit one of the concrete mounds destroying the tire and wheel: see attached \$157.47 repair bill and claim form.

Thank you for assisting us in processing this claim, and for your consideration of our concerns re. this hazard in our neighborhood.

Sincerely;

Tom C. Pearce Jr. and Carolyn W. Pearce  
515 Mountain Way NE  
Atlanta, Ga. 30342  
(404)255-1702

01-R-0815